

¹The court notes that, according to the docket, Plaintiff has not filed a return of service in this case.

Under Federal Rule of Civil Procedure 4(m), the court may extend the time for service upon a showing of good cause. When, however, failure to meet the deadline is due to an attorney's lack of diligence, the failure to serve will not be excused. *Momah v. Albert Einstein Medical Center*, 158 F.R.D. 66, 69 (E.D. Pa. 1994).

Personal circumstances which made it inconvenient to effect service is not "good cause." The report and recommendation will be adopted. An appropriate order will be issued.

s/Sylvia H. Rambo
United States District Judge

Dated: June 24, 2010.

